

DOCKET FILE COPY ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	EB Docket No 04-28	FCC 04M-14
)		03234
J COMMUNICATIONS CO., LTD.)	EB-02-TS-588	
)	FRN #0005-8369-60	
Grantee of Equipment Authorization for)		
General Mobile Radio Service Radios,)		
FCC ID# OAJFR1-GPS)		

MEMORANDUM OPINION AND ORDER

Issued April 22, 2004

Released April 26, 2004

By *Order to Show Cause*, FCC 04-24, released February 9, 2004 ("OSC"), the Commission designated this proceeding for hearing. The issues seek to determine whether GMRS radios manufactured by J Communications Co., Ltd ("J Communications"), under FCC ID # OAJFR1-GPS violate Section 95.631 of the rules and/or the explicit terms of the equipment authorization for the radios, and whether this equipment authorization should be revoked. *OSC*, at para 7 In order to avail itself of the opportunity to be heard and the right to present evidence at the hearing, the *OSC* provided, *inter alia*, that J Communications shall file a written appearance stating that it will appear at the hearing and present evidence on the specified issues. *Id* at para 8 Such notice of appearance was required to be filed within 30 days of the release of the *OSC*. *Id*

The *OSC* was released on February 9, 2004, and was sent by Registered Mail, Return Receipt Requested, to J Communications. The *OSC* was also faxed to J Communications. (See Judge's Ex. 1.) Consequently, the notice of appearance of J Communications was due to be filed no later than March 10, 2004. A fax from J Communications to the Commission, dated February 12, 2004, establishes that J Communications received a copy of the *OSC*. (Judge's Ex. 1, Tr. 10.)

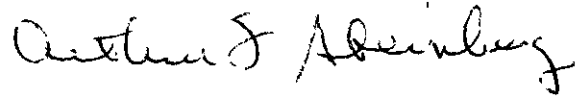
The Commission's records reflect that, to date, no written (or other) notice of appearance has been filed by, or on behalf of, J Communications. Moreover, a prehearing conference was held on April 7, 2004, and no one attended or entered an appearance on behalf of J Communications. Under all of these circumstances, and pursuant to Section 1.92(a)(1) of the Commission's Rules and paragraph 8 of the *OSC*, this constitutes a waiver of the hearing.

Accordingly, pursuant to Section 1.92(c) of the Commission's Rules and paragraph 8 of the *OSC*, IT IS ORDERED that the hearing proceeding in the above-captioned matter IS TERMINATED, and that this proceeding IS CERTIFIED to the Commission.

IT IS FURTHER ORDERED that a copy of this Memorandum Opinion and Order SHALL BE MAILED by Registered Mail, Return Receipt Requested, to:

Jong-Oh Kim
J Communications Co., Ltd
124-4, Ojeon-Dong
Uiwang City, Kyungki-Do
Korea

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Arthur I. Steinberg". The signature is fluid and cursive, with the first name "Arthur" and last name "Steinberg" clearly distinguishable.

Arthur I Steinberg
Administrative Law Judge